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March 23, 2018

VIA ECF & EMAIL

The Honorable Cathy Seibel
United States District Court Judge
The Hon. Charles L. Brieant Jr. Federal Building and Courthouse
U.S. Court for the Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150
Email: chambersnysdseibel@nysd.uscourts.gov

**Re: *The Wave Studio, LLC v. General Hotel Management Ltd., et al.*,
No. 7:13-cv-09239-CS-PED (S.D.N.Y.)**

Dear Judge Seibel:

We represent Defendant American Airlines in the action captioned *The Wave Studio, LLC v. General Hotel Management Ltd. et al.*, No. 7:13-cv-09230-CS-PED (S.D.N.Y.) (the “GHM Action”), as well as Defendant British Airways Plc in the related action captioned *The Wave Studio, LLC v. British Airways Plc, et al.*, No. 7:15-cv-07950-CS (S.D.N.Y.), which was consolidated with the GHM Action. Pursuant to Your Honor’s March 12th memo endorsement (Dkt. No. 238), American Airlines and British Airways submit the following response.

In view of the Second Circuit’s recent affirmance of Your Honor’s March 10, 2017 Opinion and Order, The Wave Studio, LLC’s (the “Wave Studio”) copyright infringement claims against American Airlines, British Airways, and the other defendants cannot be litigated until the issue of ownership of the alleged copyrighted works at issue is determined by a Singaporean court. As a result, American Airlines and British Airways respectfully propose that Wave Studio’s claims against the “defendants in 13-CV-9239 other than GHM and to the cases related to 13-CV-9239” should be dismissed because those claims are contingent on an adjudication by a Singaporean court that Wave Studio owns the alleged copyrighted works, which has not yet occurred. American Airlines and British Airways further propose that Wave Studio’s claims should be dismissed with prejudice if Wave Studio has not initiated an action against GHM in a Singaporean court by a date certain, such as within 90 days of the date of any dismissal order.

Hon. Cathy Seibel

March 23, 2018

Page 2

We thank Your Honor for your time and consideration of this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Danielle A Phillip", is written in a cursive style.

Danielle Anne Phillip

cc: All counsel of record (via ECF)
David Urman (via U.S. Mail)
Peter Michael Hart (via U.S. Mail)